

GETTING STARTED PACKET

FALL 2006

The enclosed information will help you legally operate a business in Houston and Harris County. Some permits (especially for GENERAL CONTRACTORS) must be obtained on a job-by-job basis. GENERAL CONTRACTORS ARE NOT PROFESSIONALLY LICENSED.

For minimum distance requirements, call the Planning Dept. (713-837-7701, 611 Walker St.). Auto sales and storage, sexually oriented businesses (SOB's), hazardous materials and the sale of alcoholic beverages are examples of the businesses that require minimum distances from residences, day cares, schools, and churches. DO NOT attempt to obtain city permits unless you can satisfy distance requirements. City ordinances are available from the City Secretary at 713-247-1840.

Information on professional affiliations, memberships, non-governmental certifications, insurance, or bonding NOT INCLUDED HEREIN. Please bring inaccuracies to our attention.

THE ONE STOP BUSINESS CENTER ASSUMES NO RESPONSIBILITY FOR YOUR FAILURE TO OBTAIN ALL NECESSARY OPERATING PERMITS, OR FOR THE SEQUENCE IN WHICH YOU OBTAIN SUCH PERMITS.

ONE STOP BUSINESS CENTER

LOCATION: CITY HALL ANNEX, 900 Bagby St. @ McKinney (Public Level)
PHONE: 713-247-2982; FAX: 713-247-2710; TDD/TTY: 3-1-1
WEBSITE: www.houstontx.gov/onestop
E-MAIL: onestopbusinesscenter@cityofhouston.net



ASSUMED NAMES IN TEXAS

IF I FILE AN ASSUMED NAME WITH THE SECRETARY OF STATE OR WITH THE COUNTY CLERK DOES THIS MEAN NO ONE ELSE WILL BE ALLOWED TO USE THE NAME?

No. Registration of an assumed name does not give the registrant any right to the use of the assumed name when that use would be contrary to the common law or statutory law of unfair competition, unfair trade practices, or common law copyright or similar law. The secretary of state will accept a filing of an assumed name certificate as notice of intent to use of the assumed name without determining whether the registrant has the right to the use of the name. Consequently, there may be the same assumed name on file by more than one organization.

The purpose of the assumed name filing is to provide notice that a business or profession is being conducted under a name that may not clearly identify the owners or participants and to provide further information on the identity and location of such owners or participants. Generally, every business must protect its own business name and the good will that it has acquired from the sale of its goods or services in a specific geographic area.

SOURCE: www.sos.state.tx.us/corp/businessfaqs.shtml

NEW TEXAS RESIDENTIAL CONSTRUCTION COMMISSION REGISTRATION REQUIREMENT - www.trcc.state.tx.us/

State law stipulates that Residential Builders and Remodelers may not lawfully operate as a builder or remodeler in Texas unless they hold a certificate of registration from the Texas Residential Construction Commission. Beginning on **September 18, 2006**, the City of Houston will require builders and remodelers to enter their TRCC registration numbers on all applicable residential permit applications.

Exceptions to the requirement include:

An individual who builds their own primary residence (alone or with the assistance of employees or independent contractors) and continues to own it as their primary residence for at least one year after completion

A Homeowner or a homeowner's real estate broker, agent or property manager who supervises or arranges for the construction of an improvement to a home owned by the homeowner

A person who provides construction services that do not change the square footage of the home's living space.

A person who provides construction services that do not make improvements to the interior of an existing home at a cost of \$20,000 or less.

A business entity or individual who replaces or repairs a home's component parts only (including a roof).

Any business which practices a residential construction related trade or profession if the work being done is solely for the purpose for which the license was issued (e.g. plumbers or electricians)

***** IMPORTANT NUMBERS *****

TDD/TTY- Relay Texas 711
FORT BEND CO. INFO 281-342-3411
HARRIS CO. TAX ASSESSOR 713-224-1919
MONTGOMERY CO. CLERK 281-353-9791

BRAZORIA CO. CLERK 979-849-5711
GALVESTON CO. CLERK 409-766-2200
HARRIS COUNTY 713-755-5000
STATE OF TEXAS 800-252-9600

***** IF YOU ARE INTERESTED IN SPONSORING OR UNDERWRITING THE PRINTING OF THIS INFORMATION PACKET, PLEASE CALL NEIL POLANSKY at 713-247-2982. *****

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AVAILABLE ONLINE ONLY!!

www.houstontx.gov/onestop/index.html (PDF file)

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MINIMUM REQUIREMENTS

HOUSTON ONE STOP BUSINESS CENTER
P.O. BOX 1562, HOUSTON, TEXAS 77251; PH: 713-247-2982

BUS. _____

CONTACT THESE AGENCIES FIRST:

HARRIS COUNTY CLERK 713-755-6411 (TDD- 711)

www.cclerk.hctx.net

PERMIT: ASSUMED NAME OR "DBA" (\$15+ PROCESSING FEE- CASH).

201 Caroline St., 4th Floor (CALL FOR OTHER LOCATIONS). An Assumed Name, or DBA, is required to be filed in every Texas county in which you transact business. A DBA IS A PUBLIC ANNOUNCEMENT - IT DOES NOT RESERVE A NAME AND OTHERS MAY EVENTUALLY USE THE SAME NAME. It is valid for ten (10) years and must be filed for in-person. **FORT BEND Co. (281-341-8652), MONTGOMERY Co. (281-353-9791 x7885), BRAZORIA Co. (281-331-6101), GALVESTON Co. (409-766-2200).**

TEXAS STATE COMPTROLLER 1-800-252-5555 (TDD- 711)

www.cpa.state.tx.us

PERMIT: TEXAS SALES TAX PERMIT (NO FEE).

1919 North Loop West @ Ella (4 Houston offices). Texas levies a 6.25% tax on sales of tangible personal property, some types of labor and services. A SALES TAX PERMIT and SALES TAX BOND is required of businesses selling, renting, leasing or providing taxable items or services. The FRANCHISE TAX is collected from corporations. Taxes on amusement machines, motor fuels, minerals, vehicle tires & batteries, and motor vehicles are collected. Inquire about the Resale Certificate for resellers, and the Exemption Certificate. **OPERATING W/O A SALES TAX PERMIT IS A CRIME PUNISHABLE BY A FINE OF UP TO \$500 FOR EACH DAY A BUSINESS OPERATES WITHOUT A PERMIT.**

INTERNAL REVENUE SERVICE 1-800-829-1040 (TDD- 711)

www.irs.gov

FILING: EMPLOYER ID NUMBER, FEDERAL TAX ID NUMBER

1919 Smith St. (1st Floor). File an "SS-4", or Employer ID Number (EIN) Application Form if you pay wages to one or more employees. Sole proprietors with no employees can also use their SSN. Corporations, partnerships, or non-profits must have EIN's (ask for Publication 583 and 1635). **IRS registers NON-PROFIT 501(c)(3) organizations (Ask for forms 1023,1024,8718).** Call pre-recorded TELE-TAX line at 713-541-3400. Call 1-800-772-1213 for SOCIAL SECURITY and MEDICARE information. Non-resident aliens must have a valid visa and SSN to transact business in the US. Small business seminar information can be obtained at 713-209-3543. The Taxpayer Advocate is at 877-777-4778.

(After 1-1-2007) HARRIS CO. APPRAISAL DISTRICT 713-957-7800 (TDD- 711)

www.hcad.org

FILING: RENDITION OF BUSINESS PERSONAL PROPERTY

13013 NW Freeway (290), between Hollister and Pinemont. Owners of business personal property **as of January 1** of each year **MUST** file a **RENDITION-** a listing of business personal property assets- no later than April 15th. Assets include inventory items, raw materials, leasehold improvements, machinery and other equipment, furniture and fixtures, computer equipment, and vehicles used for business purposes. Property must be located in the taxing jurisdiction for more than a temporary period. Personal property that is used to produce business income **MUST** be rendered unless the total value of the property is \$500 or less. **FORT BEND CAD (281-344-8623), MONTGOMERY CAD (281-353-2186), BRAZORIA CAD (281-331-6101)**

(GSP-06.DOC; Rev. 9-06)

	HARRIS COUNTY CLERK	TEXAS STATE COMPTROLLER	INTERNAL REVENUE SERVICE (IRS)
SOUTH & SE	107 E. Shaw (Pasadena) 713-473-9048	650 FM 1959 (Hwy 3) 281-484-6533	8876 I-45 South 281-721-7021
	701 West Baker (Baytown) 281-422-0253		
	10851 Scarsdale (South Beltway 8) 281-464-0115		
	16603 Buccaneer (Clear Lake) 281-486-7250		
NORTH & NW/NE	7300 N. Shepherd 713-697-5193	1919 N. Loop West, #510 713-868-9112	12941 I-45 North 281-721-7021
	16715 Clay Road (Bear Creek) 281-859-0685		
	6831 Cypresswood (Champions) 281-379-1057	16630 Imperial Valley, #227 281-820-6055 (N. of Beltway 8)	
	7900 Will Clayton Pkwy. (Humble) 281-540-1173		
DOWNTOWN	201 Caroline, 4 th Floor 713-755-6411 (NEW!!)		1919 Smith St. (@ Pierce Elevated) 281-721-7021
SW	6000 Chimney Rock (@ Gulfton) 713-660-7902	9888 Bissonnet, #510 713-777-1881	8701 S. Gessner 281-721-7021

CITY / COUNTY REQUIREMENTS

HOUSTON ONE STOP BUSINESS CENTER, P.O. Box 1562, Houston, Tx. 77251 - PH: 713-247-2982

CONTACT THE AGENCIES CHECKED BELOW FOR DETAILED PERMIT, LICENSE AND REGULATORY INFORMATION. BUSINESSES LOCATED OUTSIDE OF HOUSTON CITY LIMITS OR HARRIS COUNTY MUST CONTACT THEIR CITY HALL OR COUNTY CLERK'S OFFICE FOR REQUIREMENTS. AGENCIES CHECKED BELOW ARE BASED ON YOUR ANSWERS TO OUR QUESTIONNAIRE. (TDD can be reached by calling 711)

www.houstontx.gov (311)

☐ **CERTIFICATE OF OCCUPANCY (CO): 713-535-7730 (PWE)**

3301 Travis, 1st Floor. A Certificate of Occupancy must be obtained before a commercial building or an individual lease space within a commercial building may be occupied, or if changes to an existing occupancy classification are made. If no Certificate of Occupancy is posted the owner or agent will be given a 10-day notice to make an application and pay inspection fees. If the owner or agent fails to comply, citations may be issued each day until the application is made and fees are paid. Residential dwellings, residential garages, sheds, and residential carports are exempt from certificates of occupancy. If you are uncertain about whether or not your building or lease space requires a Certificate of Occupancy or a Life Safety Certificate, please call the Occupancy Inspection Section at (713) 535-7730.

HARRIS COUNTY "NO ZONING LETTER" - www.eng.hctx.net/permits/pdf/zoneletterharriscounty.pdf

☐ **BUILDING PERMIT (also Demolition Permits): 713-535-7800 (PWE)**

3300 Main St, 1st Floor. Must be obtained prior to issuance of CO (Above). Plan review conducted for plumbing, structural, elevator, electrical, storm water, HVAC, and other systems, in addition to compliance with the Landscaping Ordinance. Applicant may also need an inspection for electrical, mechanical, and plumbing systems. ASBESTOS contractors must contact the Air Quality Control Bureau at 713-640-4200 for applicable regulations. Houston uses the 2002 International Building Code with local amendments (available by calling 713-535-7737). Elevators and escalators are regulated by the Texas Dept. of Licensing & Regulation. **HARRIS COUNTY requires "Development Permits", AS WELL AS OTHER PERMITS- Harris County Engineering (713-956-3000) www.eng.hctx.net/permits**

☐ **FOOD DEALERS, HANDLERS PERMITS: 713-794-9200 (Health Dept.)**

www.houstontx.gov/health/Food/index.html

8000 North Stadium Dr. (north of Astrodome). Food service businesses including caterers, restaurants, mobile food units, day care centers, manufacturing, packaging etc., require permits and periodic inspection. Weekly Food Manager's Certification classes are \$45 (Initial) or \$30 (Renewal). A FREE facility inspection program is available for persons leasing or buying an existing food service business (Obtain free inspection first). For WIC Program information, call 713-794-9095, for Grease Trap inspections call 713-640-4399. **In HARRIS COUNTY call 713-439-6270; In FORT BEND CO. call 281-342-7469.**

☐ **COMMERCIAL PERMITTING & ENFORCEMENT SECTION: 713-837-9555, 9838 (F&A)**

611 Walker, 2nd Floor. Permits are issued yearly for sale of Second-Hand Merchandise; Roadside Vendors (*Roadside Vendors are NOT ALLOWED on public rights-of-way in unincorporated Harris Co. Call 713-755-5000*); Charitable Solicitation; Antique Dealers; Alcoholic Beverages; Amusement & Game Machines (Non-Food); Flea Markets; Dance Halls; Scrap Dealers; Mini Warehouses; Loudspeaker Operation & Others. For **Property Liens**, call 713-837-9550. Hotel Occupancy Tax, call 713-837-0608, and 713-368-2000 for the Harris County Tax Assessor. For Out-Of-Business permits, call the HCAD at 713-957-5627.

☐ **TRANSPORTATION DIV: (Regulatory Services, F&A) 281-233-7860**

5050 Wright Rd. Regulates Jitneys, Taxis, Limos & School Buses, Sightseeing/Charter Services, Valet Parking Services, Chauffeured Limousine Services, Private School Vehicles. **In HARRIS COUNTY call 967-5870 for Wrecker Permits.**

☐ **SIGN PERMIT: 713-535-7900 (PWE)**

3300 Main St., 2nd Floor. You must obtain a permit to erect on and off-premises signs of all types, including wall, roof, marquee, ground, projecting, spectacular, and temporary signs. Within Houston's ETJ, off-premise signs must also have a permit. **In HARRIS COUNTY call 713-956-3000 for sign regulations.**

☐ **HOUSTON FIRE MARSHALL: 713-865-7100 (HFD)**

2931 W. 12th St., The HFD issues permits for storage, handling, and manufacture of flammable liquids and combustibles; Public Assembly (maximum occupancy); Tents; and Open burning. *In HARRIS COUNTY the County Fire Marshall (281-931-1085) enforces the State Insurance Code.* Harris County Pollution Control (713-920-2831) and the TCEQ (713-767-3500) must be notified in the event of a toxic waste spill.

☐ **SUBDIVISION & DEVELOPMENT PLATS: 713-535-7777 (Planning)**

Development Services checks for the proper subdivision of land and for adequate street or right-of-way, building lines and for compliance with the City's land development ordinance. Commercial projects are checked for compliance with off-street parking and tree and shrub requirements. Locations of hotels, cell towers, and hazardous chemical storage is regulated by city ordinance and enforced by this division. **Subdivision plats** are required for developing or redeveloping most land within the Houston city limits and Extra-Territorial Jurisdiction (ETJ). The ETJ is five miles out from the city limits. For information about subdivision plats call (713-837-7880, 611 Walker St., 6th floor. **Development Plats (DP)** are site plans that are required during the building permit process. DP's are required when there is development through new construction or enlargement of a building, structure or improvement within the city or ETJ. For applications call 713-535-7777, located at 3300 Main St.

☐ **BUREAU OF AIR QUALITY CONTROL: 713-640-4200 (Health Dept.)**

7411 Park Place Blvd., Suite 200. The Bureau has jurisdictions within the city limits. Enforces and conducts inspections of all facilities for compliance with federal and state air pollution rules and regulations. The Bureau is also responsible for City of Houston ordinances requiring registration and payment of annual permit fees. These fees are valid for one year and are non-transferable. See also TCEQ (P.6) & EPA requirements (P.9).

☐ **HOUSTON POLICE DEPT. (HPD) PERMITS: 713-308-1200 (HPD)**

www.houstontx.gov/police/phone.htm

Auto Dealers / Repair / Parts Sales (713-308-1440, 1200 Travis, 14th Floor); Auto Storage (713-247-5687); Pawn Shops (713-731-5964); Shooting Galleries/Ranges (281-230-2480); Firearms contact Federal BATF; SOB's (Vice: 713-308-8600).

☐ **CITY OF HOUSTON SMOKING ORDINANCE: 713-640-4359 (Health Dept)**

www.houstontx.gov/health/Environmental/newsmoking.pdf

Enforces the No-Smoking Ordinance and the Cigarette Vending Machine Ordinances. New version in effect 9-5-06

☐ **WASTEWATER CAPACITY RESERVATION / IMPACT FEES: 713-535-7888 (PWE)**

www.publicworks.cityofhouston.gov/utilities/docs/wwops.pdf

3300 Main St., 1st Floor. If you change or intensify the use of an existing building, or develop raw land you must apply for a WCR. Small, service oriented, or home-based businesses rarely require a WCR. For city industrial waste permits and pre-treatment information, call 281-575-2800. *In HARRIS or other counties, contact the applicable municipal utility district for water and wastewater availability and rates.*

☐ **CITY SECRETARY: 713-247-1840 (Codes and Ordinances)**

www.houstontx.gov/codes/index.html

CORPORATIONS, LIMITED PARTNERSHIPS & NON-PROFITS

☐ **SECRETARY OF STATE: 512-463-5555 or 512-463-5586 (number often busy)**

www.sos.state.tx.us/corp/forms.shtml

Corporations Sect. Filing fee: At least \$300.00. Registers Corporate Names, Limited Partnerships, LLC's, S Corps, Certificate of Authority, NON-PROFIT agencies, state-wide DBA's, and others. **NOTARIES** call 512-463-5705. Other businesses regulated include: Athlete Agents & Auto Clubs, and Business Opportunities (512-475-1769); Health Spas, Membership Resorts & Camping, Credit Services, Wrestling Promoters, and Debt Collection (512-463-6906); **Telemarketing** (800-648-9642 for Non-Profits; 512-475-0775 for Others). For **Trademarks** call 512-463-5576.

PLEASE GO TO THESE PAGES WITHIN PACKET:

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| <input type="checkbox"/> See Page 9- | "FEDERAL REGULATIONS" |
| <input type="checkbox"/> See Page 11-12 | "EMPLOYER RESPONSIBILITIES" |
| <input type="checkbox"/> See Page 17-18 | "DEED RESTRICTIONS AND HOME-BASED BUSINESSES" |